

JAMESTOWN CITY COUNCIL
SPECIAL MEETING, JANUARY 6, 2014
OFFICIAL MINUTES

Mayor Andersen called the special meeting of the City Council to order at 4:05 PM.

Roll Call showed the following members present: Mayor Andersen, Council Members Brubakken, Buchanan, Gumke and Kourajian, City Attorney Dalsted, Deputy Auditor/Human Resource Officer Sveum. Absent: City Administrator Fuchs.

The City Council was notified that a representative from Pizza Hut would be delayed due to vehicle problems. The City Council recessed at 4:07 PM.

The City Council reconvened at 4:12 PM.

A public hearing was held concerning an alcohol compliance check violation by NPC International, Inc., d/b/a Pizza Hut, on October 21, 2013.

City Attorney Dalsted submitted the following documents for the record:

- 1) A Notice of 1st Offense to NPC International, Inc., d/b/a Pizza Hut, notifying them that they violated provisions of Section 5-6 of the Code of Jamestown which prohibits the sale of alcoholic beverages to persons under the age of twenty-one (21). The letter was dated November 12, 2013.
- 2) A Notice of Hearing concerning the alcohol compliance check violation. The hearing was requested by Marla Spiers, Operations Accountant for NPC International, on November 15, 2013. The Notice of Hearing states that the hearing will be held on Monday, January 6, 2014, at 4:00 PM, in the Council Room at the Jamestown City Hall. The letter was dated December 10, 2013.

Tyler Loven, Jamestown Police Officer, reported that on October 21, 2013, the violation occurred when a server at Pizza Hut provided alcohol to a minor during an alcohol compliance check. Officer Loven stated the server asked for and was given the ID of the minor, but served the alcohol anyway.

Mark Maple, Pizza Hut Manager, stated that the server had only worked at Pizza Hut for about two weeks prior to the time of the violation. Mr. Maple stated that he has been working to assure that this type of violation will not occur in the future.

City Attorney Dalsted informed the City Council that it needs to determine if the alcohol violation occurred, and if so, follow the City Code and require Pizza Hut to pay a mandatory \$500 fine.

The public hearing was closed at 4:40 PM.

Council Member Gumke moved a Resolution to impose a \$500 fine to Pizza Hut for serving alcohol to a minor on October 21, 2013, during an alcohol compliance check. Seconded by Council Member Brubakken. Roll Call No. 1 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved to adjourn. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

ATTEST:

JAY SVEUM, Deputy Auditor/HRO

APPROVED:

KATIE ANDERSEN, Mayor